



COURT OF APPEALS
SECOND DISTRICT OF TEXAS

CHIEF JUSTICE
 TERRIE LIVINGSTON

TIM CURRY CRIMINAL JUSTICE CENTER
 401 W. BELKNAP, SUITE 9000
 FORT WORTH, TEXAS 76196

CLERK
 DEBRA SPISAK

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October 4, 2013

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 P.O. Box 2146
 Denton, TX 76202-2146
 * DELIVERED VIA E-MAIL *

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 2711 N. Haskell Ave., Ste. 2700
 Dallas, TX 75204

RE: Court of Appeals Number: 02-13-00340-CV
 Trial Court Case Number: 2013-20534-158

Style: Eric Drake
 v.
 HSBC Bank, Chase Bank, and Capital One Bank

The court has received a copy of the notice of appeal in this case. See Tex. R. App. P. 25.1(e).

We have not received a docketing statement. See Tex. R. App. P. 32.1. Therefore, the appellant is directed to file a docketing statement no later than **Monday, October 14, 2013**, or as soon as practicable thereafter. If you cannot file a complete docketing statement at that time for good cause, you are directed to send a letter to the clerk explaining your reasons for not timely filing the statement and when you expect to file the statement.

A filing fee of \$195.00 is required by appellant. See Tex. R. App. P. 5 and Texas Supreme Court Order of August 16, 2013 regarding fees to be charged in civil cases. **If the \$195.00 is not paid by Monday, October 14, 2013, the case is subject to DISMISSAL per Tex. R. App. P. 42.3(c).**

If you do not have a lawyer for this appeal and cannot afford one, you may be able to obtain the assistance of a volunteer lawyer, free of charge, through a program administered by the State Bar of Texas and the Tarrant County Bar Association's Appellate Section. Information about this program can be found at <http://www.tex-app.org/probono-2ndcourt.php> or at the Clerk's office front desk. Both appellants and appellees may request referral to the program by completing Section X of the docketing statement, also available at this court's website or at the front desk. The Second Court of Appeals does not run the program or appoint lawyers to litigants. You must therefore still comply with all applicable deadlines until a volunteer attorney appears in this court on your behalf.

NOTE TO APPELLANT: At or before the time for perfecting the appeal, you must request in writing that the official reporter prepare the reporter's record. The request must designate the exhibits to be included. A request to the court reporter must also designate the portions of the proceedings to be included. You must also file a copy of this request with the trial court clerk. See Tex. R. App. P. 34.6.

NOTE TO COURT REPORTER: You must file the reporter's record in this court within 60 days after the date the judgment is signed; OR 120 days if a timely motion for new trial is filed; OR 10 days after the notice of appeal is filed if this is an accelerated appeal; OR 30 days after the notice of appeal is filed in a restricted appeal. See Tex. R. App. P. 35.1. You should contact the appellant(s) and make arrangements for receiving payment for the record. See Tex. R. App. P. 35.3(b)(3). If you were not the court reporter in this case, or if additional court reporters took testimony in this case, please advise the court in writing immediately.

In addition, please be advised that amended local rules were effective June 1, 2012. Local Rule 6 Reporter's Record states that "Each volume of the reporter's record shall comply with the requisites established by the Texas Rules of Appellate Procedure, the Local Rules for the Second Court of Appeals, and the Uniform Format Manual for Texas Court Reporters. In addition, except by permission of this court for good cause shown, any printed record filed with this court shall contain the record on computer diskette, CD, or DVD form in ASCII format or other computer readable format preapproved by this court. Said diskette, CD, or DVD shall be affixed to the inside of the back cover of the final volume of the printed reporter's record of testimony in such manner as to be secure but easily removable for use." This court's local rules may be found on our website at www.2ndcoa.courts.state.tx.us.

Respectfully yours,

DEBRA SPISAK, CLERK



By: Kent Moore, Deputy Clerk